

THE STATE OF NEW HAMPSHIRE



GOVERNOR'S COMMISSION ON DOMESTIC VIOLENCE

VISITATION CENTERS: DOMESTIC VIOLENCE PROTOCOL

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**Prepared by the
Governor's Commission on Domestic Violence**

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INTRODUCTION

Visitation Centers provide a variety of services that ease visitation between children and their parents. These guidelines apply to Visitation Center services in cases where families have experienced domestic violence. In these cases, Visitation Centers provide a structured alternative for visitation between children and non-custodial parents that helps to prevent further victimization of children and abused partners.

According to the United States Department of Justice, approximately 95% of domestic violence cases involve the abuse of a woman by her male partner. Visitation Center services, therefore, will most often be used to provide safe visitation for children with their fathers who have abused their mothers and are no longer living with the family. Although abuse also occurs in gay and lesbian relationships and, in rare instances, men are battered by women, these guidelines reflect the overwhelming likelihood that Visitation centers will be dealing with male violence against women and/or children.

The services provided should be grounded in the belief that domestic violence is an attempt by one family member to gain control over other family members. In many cases, when those who batter no longer have access to their partners (for example, because of a restraining order, or because the partner has moved to a shelter), they resort to using their children to regain access to, and control over, their partners. To protect the health and safety of victims of abuse, it is important that services reflect an understanding of the dynamics of domestic violence, including the involvement of, and impact on, children, and the importance of holding those who batter accountable for their actions.

The best interest of the child and adult victim should always be the most important consideration in determining whether, when and how visitation with an offending parent should occur. Visitation between children and an offending parent is often not in the best interests of children. Visitation can offer an offender continued access to, and control over, the adult victim through their children. In some cases, all the safety precautions possible will not prevent continued abuse of the partner and children.

SCOPE AND PURPOSE OF PROTOCOL

Supervised Visitation Centers are one of the most recent services to be developed in the domestic violence field. As such, much is left to be learned about the safest and most effective ways of providing such a service to the residents of New Hampshire. This "protocol" is designed to offer some preliminary guidance in the development and operation of such Centers in our state. Major portions of this protocol are adaptations from guidelines used in Massachusetts titled *Guidelines for Visitation Center Use in Domestic Violence Cases*.

This protocol should be considered a working document rather than a finished product. It is our hope that those who use these guidelines to develop their own programs throughout New Hampshire will provide feedback for the modification and improvement of these guidelines.

TERMINOLOGY

For purposes of these guidelines, the following terms will have the meanings given:

1. "Offenders" and "batterers" are used to refer to those individuals who have battered or abused an adult;
2. "Perpetrator" is used to refer to an adult who has physically and/or sexually abused a child.
3. "Staff" is used to refer to paid staff as well as to supervised volunteers who have been trained in accordance with these guidelines.

SCOPE OF SERVICES

In providing services for families who have experienced domestic violence, Visitation Centers should provide the following services:

Monitored Exchange

The non-custodial parent is directed to arrive first. The custodial parent brings the children to the Center next. The non-custodial parent picks the children up there and returns them at a specified time. The actual exchange is made by staff so that the parents have no contact with one another. There is at least 15 minutes between the parents' arrival and departure so that the risk of contact is minimized.

Hours of Operation

Visitation Center services should be available on days, evenings and on weekends so as to fit with potential clients' working schedules.

Semi-supervised On-site Visits

Visits may be held at the Center if the threat of abduction exists or if there is no other appropriate place for visits. In addition, use of the Center should allow everyone including the child(ren) to feel and be safe during visits.

Fully Supervised On-site Visits

Visits at the Center may be closely monitored by staff if there is a risk of ongoing physical or emotional abuse of the children, or if the non-custodial parent is actively abusing psychoactive substances. Determination of risk should be made by Center staff in consultation with the referring agency and the Center's affiliated experts (see affiliation section below). Visits should not take place if staff suspect that the non-custodial parent is under the influence of alcohol or other psychoactive drugs when arriving for a visit. Center staff may participate in supervised visits to model appropriate parenting skills and to ensure the safety of the children.

Parent Education Groups

The Center should offer separate groups for offending and non-offending parents to provide support around parenting issues including: building self-esteem; enhancing parenting skills; ceasing controlling and abusive behaviors; and educating parents about the effects on children of witnessing violence.

Visitation Centers should retain the right to refuse to provide visitation services, even those mandated by a court, if trained staff and affiliated experts believe, upon assessment and evaluation of the family, that visitation is not in the best interest of the children, or would involve undue risk to an abused partner. The report back to the court should specify the reasons for denying services to potential clients or terminating services for current clients.

The Centers should regularly evaluate the appropriateness of visits, and should communicate with the referring agency about the progress of visits and the need for any change in the visitation program. If services are terminated, all agencies working with the family, including DCYF, Courts, Probation/Parole, and Batterers' Intervention Programs (BIP's) should be so notified.

REFERRALS

Families may self-refer for visitation center services. Referrals may also be made by DCYF, court personnel, attorneys, BIP's, therapists, and battered women's program advocates.

CLIENT PROFILES

Services will be made available to children and families that have experienced domestic violence and/or sexual assault and where there are concerns about safe visitation between batterers and their child(ren).

If allegations of sexual abuse have been made against the non-custodial parent and these allegations have been supported by DCYF, visitation services should be offered only if the perpetrator has admitted to the abuse or has been convicted and is in an appropriate intervention program. In addition, visitation should occur only after an assessment of the parent and child by an expert in sexual abuse issues in which the expert has determined that visitation is in the best interest of the child. In all cases of sexual abuse, there should be on-going expert evaluation of the impact of visitation on the child.

INTAKE PROCEDURE

Visitation Center staff should evaluate families referred for visitation to ensure that the referral is appropriate. If staff determine that the visitation recommended by the referring agency (e.g., court or DCYF) is inappropriate, that information should be communicated to the referring agency by the Center.

SETTING AND COLLECTING FEES

1. Services should be available to all families regardless of ability to pay. Services will be paid by the offending parent or as otherwise directed by the court. Centers may offer a sliding fee scale. Visitation programs may also offer community service as an alternative to payment for low-income parents.
2. In cases where the offender has custody of the children, and the victim is the non-custodial parent, the victim will not be required to pay for visitation services unless a court orders otherwise.
3. Visitation Centers should develop resources to help low-income parents cover the costs of transporting children to and from the center.
4. If parents are mandated by the court to use the Visitation Center (in which case a court order should reflect this and contain a provision for payment of Visitation Center fees), and refuse to pay the required fees, the Center should contact the court for reconsideration of the visitation order.
5. Payments should ordinarily not be made by reducing the non-custodial parents' child support payments to the custodial parent.

ALTERNATIVE FUNDING SOURCES

One of the most significant challenges facing Visitation Centers in New Hampshire is covering the cost of the services. What follows are several suggestions for funding sources:

Client Fees

Programs should adopt a sliding fee scale that requires clients to contribute for the valuable service while not excluding them from service due to their inability to pay. It would be difficult for programs to survive by depending solely on client fees.

Referral Sources

Most referral sources have had to make some arrangements for visitation prior to the advent of Visitation Centers in New Hampshire. For example, DCYF will be referring clients who have had to rely solely upon parent aides to provide alternative services in the past. The funding available for parent aide services may be able to be channeled to Visitation Centers. The important point is that discussions with referral sources may generate creative funding options.

Local Government Funding

Several local government sources may be available. These include community development block grants available on a city or town level and county funding. Any attempts to secure funding should be done in collaboration with the local domestic violence coordinating council with representation from the local domestic violence program. This will help to avoid undue competition among different services in the same community.

Corporate Sponsorship

Corporate America is becoming increasingly involved in efforts to decrease the incidence and impact of family violence. Financial assistance to local programs is one significant contribution companies can make. Insurance companies, banks, department stores, and grocers are just a few examples of local businesses that may be interested in “adopting” a Visitation Center. The benefit to a local business in terms of community image may be great while the financial requirements of such an “adoption” may be relatively small.

Volunteer Staff

Decreasing costs is as important as increasing revenue. Therefore, minimizing the number of paid staff for a program will require developing a volunteer pool. One expense of a volunteer pool is training. Centers should collaborate with the local domestic violence program in developing a training curriculum. Visitation Center volunteers may even be able to attend the domestic violence program’s training.

STAFFING

1. The Visitation Center Domestic Violence Program Coordinator position should be held by a person with extensive background and training in working with families who have experienced domestic violence. The Coordinator should be able to recruit and train volunteers and other staff, and be able to establish affiliations with agencies that will assist the Center in evaluating and working with families referred for services.
2. Center staff should reflect the ethnic, linguistic and cultural diversity of the families they serve.
3. Centers should ensure that the services of a child therapist experienced in working with families where domestic violence has occurred are available. These services should be available to provide case consultation and regular supervision of staff. Therapeutic services can be obtained through affiliation agreements with local providers of appropriate mental health services.

4. When allowed by law, a background check should be performed on all potential staff and volunteers to determine whether there is a criminal history that would preclude them from working at the Center.
5. All staff must participate in regular supervision, provided by the Visitation Center Coordinator and affiliated specialists.
6. Some staff should be available during regular business hours (i.e., 9:00am - 5:00pm) to facilitate outreach and collaboration with agencies not open during evening and weekend hours, including courts, schools, and health care providers.
7. If the Center offers supervised visitation to parents who do not speak English, it must have staff or volunteers (who speak the parents' language) available to supervise the visit. In no event should children be asked or permitted to serve as translators for their parents.

TRAINING

All paid staff and volunteers must receive training that covers at least the following issues:

1. The history of violence against women and its social context;
2. Myths that perpetuate victim-blaming;
3. Why battered women remain with or return to abusive partners;
4. The forms of domestic violence;
5. Effects of domestic violence on women;
6. Causes of battering (e.g., the need for power and control in relationships);
7. Assessing the danger of lethality of those who batter;
8. Child development;
9. The forms of child abuse and neglect (including sexual abuse);
10. Impact of domestic violence on children (e.g., physical or mental health, development, educational achievement, etc.);
11. The laws protecting women and children from abuse and how the laws work;
12. The overlap between domestic violence and child abuse;
13. Substance abuse among those who batter and battered women (myths and realities);
14. Working with those who batter;
15. HIV issues (prevention, working with HIV-involved families);
16. Cultural diversity training;
17. Racism, sexism, homophobia, religious concerns, ageism, classism, and working with people with disabilities;
18. Emergency response methods/crisis intervention; and
19. Confidentiality.

Training should be provided in collaboration with battered women's programs, child welfare service agencies, BIP's, child life specialists, legal services programs, and experts in child trauma related to violence.

AFFILIATIONS

Visitation Centers that serve families who have experienced domestic violence should develop formal affiliations with organizations that will be available to provide services and consultations to the Centers in their work with children and parents. Affiliations should include organizations with expertise in: children's mental health, substance abuse counseling and treatment, BIP's, child life and child development, legal rights of victims of violence, and battered women's services. Affiliated agencies should assist Centers in the design and provision of trainings, assessment cases, and should, as appropriate, participate in the supervision of staff and volunteers. Domestic violence councils have been developed in connection with each of the 33 district court offices in New Hampshire. A representative from the Visitation Center should become an active participant in each council within the Visitation Center's service area.

SECURITY

1. All Visitation Centers must provide security. Programs may choose to use armed or unarmed trained security personnel, including off-duty police officers.
2. All security personnel must go through training offered by a batterers' intervention program.
3. Visitation Centers and their security staff should develop close relationships with appropriate police departments, and should work with police to establish a priority response system for emergency calls from the Center. Staff should receive training on how to respond to emergencies.
4. Centers should explore the availability of devices such as panic alarms or hotline buttons on existing phone systems.

RECORD KEEPING/CONFIDENTIALITY

1. Centers must maintain written confidential records for each family receiving services. To protect the safety of victims and children, separate files should be maintained for the offending and non-offending parents so that offending parents who wish to obtain access to their own records cannot learn of their battered partner's current address or phone number.
2. The records of offending parents must include a release of information to promote communication with other agencies and to ensure offender accountability.
3. Centers must keep copies of protection orders, child abuse reports, and court orders of custody and/or visitation on file.

SITE REQUIREMENTS

1. Visitation Centers should be located in neighborhoods that are accessible to families of diverse racial and ethnic groups.
2. Centers should be conveniently located to public transportation where it exists. Options for helping families with transportation costs should be explored where there is no public transportation or if the family has difficulty meeting the cost of transportation.

3. Visitation Centers must provide separate entrances, waiting areas, and meeting rooms so contact between partners can be avoided during the drop-off or pick-up of children for visits. Separate parking lots, when available, should also be used.
4. Centers must be designed and furnished to offer families a friendly and child-safe environment for visits.

EVALUATION

Visitation Centers should develop evaluation forms that can be easily completed by consumers of the Centers' services. Individuals should be encouraged to complete these evaluations both during the time they receive services and as soon as they no longer use the services. In addition, Centers should be prepared to report to courts ordering supervised visitation when requested to do so.

Centers should be assessed on the following criteria:

1. **Safety**

Visits between children and non-custodial parents without abusive incidents. Custodial parents pick up and drop off children without abusive incidents. This is to ensure the safety of not just all family members but of staff as well.

2. **Accountability for Offenders and Perpetrators**

Parents who have been abusive respect all rules of the Visitation Center. If a parent violates rules, the Center will terminate services (following warnings and a "probation" period, if appropriate). When services are terminated, other agencies involved with the family – including courts, batterers' intervention services, DCYF, probation and parole – will be notified.

3. **Strengthening of Parenting Skills**

Both custodial and non-custodial parents participate, as appropriate, in classes and role modeling, or receive written materials about child development, the impact of domestic violence on children, non-violent discipline, and other parenting skills.

RESOURCES

Several resources both within New Hampshire and across the country may be helpful in the development and operation of Visitation Centers. These resources include:

1. **Supervised Visitation Network** publishes a bimonthly newsletter, sponsors annual conferences, offers technical assistance and encourages networking among Visitation Centers nation-wide. Their address is 1101 North Fourth Avenue, Tucson, AZ 85705.
2. **Family Violence Project of the National Council of Juvenile and Family Court Judges** has published an information packet titled: *Family Violence: Supervised Visitation Centers*. Their address is P.O. Box 8970, Reno, Nevada 89507. Phone (800) 527-3223; FAX (702) 784-6160.
3. Each local District Court Coordinating Council which should contain representation from the local domestic violence program can participate in the development, funding and networking requirements of Visitation Centers.

